

### **REMARKS**

Claims 1-4 are pending in this application. Claim 1 is the only independent claim.  
Reconsideration in view of the following remarks is respectfully solicited.

#### **The Claims Define Patentable Subject Matter**

The Office Action rejects claims 1-4 under 35 U.S.C. §103(a) as being unpatentable over European Patent No. EP 0718964 to Kennan (hereafter *Kennan*) in view of U.S. Patent No. 6,538,533 to Hwang et al. (hereafter *Hwang*).

These rejections are respectfully traversed.

Applicant respectfully submits that the claimed invention is distinguishable from the new combination of references, i.e., *Kennan* and *Hwang* for at least the following reasons:

The Examiner admits that *Kennan* fails to disclose an electromagnetic coupling preventing member as claimed, and a metal shielding box including one shielding chamber for accommodating the plurality of local oscillators, each including a dielectric resonator, and the preventing member. In an attempt to show this feature, the Examiner imports *Hwang*. (see final Office Action, page 2).

Specifically, the Examiner alleges that *Hwang* discloses two dielectric resonators, a metal case and a screw arranged between the dielectric resonators. (see final Office Action, page 2).

However, a close review of *Hwang* merely reveals that *Hwang* discloses a dielectric filter 107 having two dielectric resonators 71. The two dielectric resonators 71 are configured in a metal case 65. In *Hwang*, a coupling adjustment screw 109 is arranged between the dielectric resonators 71. (see *Hwang*, col. 7, lines 43-52; and Figs. 7A and 7B).

However, although *Hwang* discloses two resonators 71 in a metal case 65, *Hwang* fails to disclose a plurality of local oscillators each including a dielectric resonator in such metal case 65. *Hwang* only discloses resonators being enclosed in its metal case 65. No local oscillators being paired with the resonators, as set forth in the claimed invention, is ever shown in *Hwang*.

As such, both *Kennan* and *Hwang* fail to disclose a plurality of local oscillators each including a dielectric resonator being accommodated in a metal shielding box, as set forth in independent claim 1.

Furthermore, applicant submits that *Hwang* fails to disclose an electromagnetic coupling preventing member as set forth in the present invention. For example, in the present invention, the electromagnetic coupling preventing member extends between any two of the dielectric resonators, receives a reference potential, and prevents electromagnetic coupling between one and another one of the dielectric resonators.

In contrast with the present invention, *Hwang* merely discloses that its coupling adjustment screw 109 is arranged between the dielectric resonators. However, *Hwang* fails to disclose that such a screw 109 prevents an electromagnetic coupling between one and another one of the dielectric resonators. In *Hwang*'s limited disclosure about the screw 109, *Hwang* only discloses that it is arranged between the dielectric resonators. In *Hwang*, nothing further is disclosed about the coupling adjustment screw 109. As such, applicant respectfully submits that the Examiner is overreaching when the Examiner alleges that *Hwang*'s screw 109 discloses an electromagnetic coupling preventing member as claimed.

In fact, *Hwang* only mentions electromagnetic coupling in relations with input/output probes 45 and 47. (see *Hwang*, col. 4, lines 12-19). For example, *Hwang* discloses that in the actual dielectric resonator filter 25 as shown in Figs. 1A and 1B, the dielectric resonators 37, 39, 41 and 43 are in the metal case ..., and coupling between the dielectric resonators is determined by electromagnetic coupling using a resonance mode  $TE_{01\&}$  of the dielectric. Furthermore, *Hwang* discloses that the electromagnetic coupling quantities ... are determined by the intervals between the input/output probes and the input/output dielectric resonators, respectively. (see *Hwang*, col. 4, lines 51-63). As such, *Hwang* uses the intervals between the input/output probes and the intervals between resonators to determine the electromagnetic coupling. However, *Hwang* fails to disclose preventing such electromagnetic coupling and *Hwang* further fails to disclose using the screw 109 to prevent such electromagnetic coupling..

In addition, *Hwang* discloses using two electromagnetic wave absorbers 113 and 115 in the dielectric resonator filter. (see *Hwang*, col. 8, lines 14-58). However, such electromagnetic

wave absorbers fail to be extending between any two of the dielectric resonators, as set forth in the present invention.

In other words, *Hwang*, like *Kennan*, fails to disclose an electromagnetic coupling preventing member as set forth in the present invention because in *Hwang*'s disclosure, *Hwang*'s screw 109 fails to be associated with electromagnetic coupling prevention.

For at least the reasons noted above, applicant submits that *Hwang* fails to make up for the conceded deficiencies found in *Kennan*.

Applicant respectfully submits that neither *Hwang* nor *Kennan*, taken singularly or in combination, (assuming these teachings may be combined, which applicant does not admit) teach or suggest the features noted above.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicant respectfully submits that the combination of cited references fail to teach or suggest each and every feature as set forth in the claimed invention.

Applicant respectfully submits that independent claim 1 is allowable over the combination of cited art for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-4 under 35 U.S.C. §103(a) is respectfully requested.

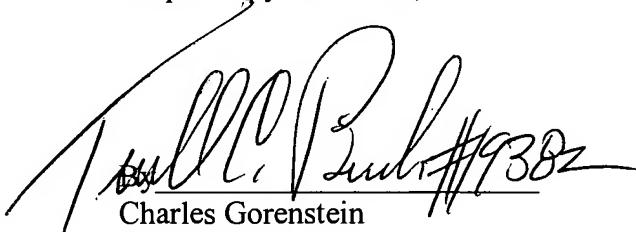
Conclusion

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T. Baumgardner (Reg. No. 41,345) at (703) 205-8000 **to schedule a Personal Interview.**

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly, the extension of time fees.

Respectfully submitted,



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Charles Gorenstein  
Registration No.: 29,271  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

*lmp*  
CG/CTB/mpe